IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

Bail Appl..No. 1375 of 2007()

CRIME NO. 40/07 OF THANOOR POLICE STATION

PETITIONER

K.M.ALI, S/O. MYTHEEN KUNJU,
AGED 38 YEARS, PAREKKADAN KIZHAKKAN HOUSE,
PONJASSERY P.O., MUDICKAL VIA, PERUMBAVOOR.

BY ADV. SRI.C.K.ABDUL RAHIM

RESPONDENTS:

THE SUB INSPECTOR OF POLICE,
THANOOR POLICE STATION, MALAPPURAM DISTRICT.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1375 of 2007

DATED: 8th March 2007

O R D E R

Petitioner who is the 2nd accused in Crime No. 40/07 of Thanoor Police Station for offences punishable under Sections 406 and 420 read with Sec. 34 I.P.C. , seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner had been acting as a privy to the first accused and collected huge amount promising ooverseas employment. Custodial interrogation of the petitioner is inevitable.

2. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 14-3-2007 and 16-3-2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. Thereafter the

petitioner shall be produced before the Magistrate having jurisdiction, on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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